

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

CAROLYN COPE,)	
)	
Plaintiff,)	
)	No. _____
)	JURY DEMAND
WALMART, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Walmart, Inc., hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against it: Carolyn Cope v. Walmart, Inc., in the Circuit Court for Hawkins County, Tennessee, No. 37CC1-2020-CV-219.

This is a suit of wholly civil nature filed in Tennessee state court. The action is pending in the Circuit Court for Hawkins County, Tennessee. Under 28 U.S.C.A. §§ 123(a)(1) and 1441(a), the United States District Court for the Eastern District of Tennessee, Northeastern Division, is a proper forum for removal.

This Court has original jurisdiction pursuant to 28 U.S.C.A. § 1332 because there is complete diversity of citizenship and the amount in controversy exceeds \$75,000. The complaint demands that plaintiff “be awarded judgment against the defendant in the amount of \$100,000.00.” Plaintiff is a citizen of Hawkins County, Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. It was sued as Walmart, Inc. Defendant may be referred to as “Wal-Mart” in this document. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter.

Wal-Mart Stores East, LP is a Delaware limited partnership. The general partner is WSE Management, LLC, a Delaware limited liability company. The limited partner is WSE Investment,

LLC, a Delaware limited liability company. The sole member of WSE Management, LLC and WSE Investment, LLC is Wal-Mart Stores East, LLC fka Wal-Mart Stores East, Inc.,¹ an Arkansas limited liability company. The sole member of Wal-Mart Stores East, LLC is Walmart Inc. fka Wal-Mart Stores, Inc., a Delaware corporation. The principal place of business for all entities mentioned is 702 S.W. 8th Street, Bentonville, Arkansas 72716.

Defendant was served with process on December 22, 2020. Copies of the summons and complaint are attached as Exhibits A and B, respectively. Fewer than thirty days have expired since service of process on Defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court for the Hawkins, County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northeastern Division, and requests that the proceedings be held thereon.

/s/ Elle G. Kern
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Attorneys for defendant

¹Wal-Mart Stores East, Inc. was converted to an Arkansas limited liability company on January 25, 2011.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was electronically filed with the Court and was served by U.S. Mail, postage prepaid, upon:

William E. Phillips, Esq.
PHILLIPS & HALE
210 East Main Street
Rogersville, TN 37857
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this the 20th day of January, 2021.

/s/ Elle G. Kern